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S E C R E T SECTION 01 OF 03 KUWAIT 000143

SIPDIS

STATE FOR NEA/FO, NEA/ARP
CAIRO PLS PASS TO A/S BURNS

E.O. 12958: DECL: 01/09/2014

TAGS: [PREL](#) [MARR](#) [ETRD](#) [PHUM](#) [PGOV](#) [IZ](#) [KU](#)

SUBJECT: (C) SCENESETTER FOR NEA A/S BURNS'S VISIT

REF: A. 03 KUWAIT 5539

[B. KUWAIT 69](#)

Classified By: CDA FRANK URBANCIC; REASON: 1.4 (D)

[¶1.](#) (C) Welcome back to Kuwait. We are requesting meetings for you with Prime Minister Shaykh Sabah al-Ahmed, Foreign Minister Shaykh Dr. Mohammed Sabah al-Salem, and Deputy Prime Minister and Minister of Defense Shaykh Jaber Mubarak al-Hamad al-Sabah, for the afternoon of January 14. Given your later arrival, the Ministry of Foreign Affairs informed us today, January 13, that an evening meeting with the Foreign Minister is likely, and that a meeting with the Defense Minister is not possible. We are checking on the Prime Minister's availability now. We have canceled Charge's reception, in order to make time for Dr. Mohammed.

[¶2.](#) (C) There have been significant changes since your last visit in June: Shaykh Sabah al-Ahmed, who had been de facto head of government due to the Crown Prince's permanent incapacitation, was promoted to Prime Minister in July following regularly-scheduled National Assembly elections. The regime was much criticized for vote-buying and for condoning illegal tribal primaries; independents made gains at the expense of both the liberals and the largest organized bloc of Islamists, which has ties to the Muslim Brotherhood. Kuwaiti political discourse is much more inward-focused now that we have removed the existential threat posed by Saddam Hussein's regime. Shaykh Sabah's stated agenda includes economic reform (a TIFA will be signed when USTR's schedule permits) and steps towards political rights for women, who now can neither vote nor run for national office.

[¶2.](#) (C) On Iraq, the GOK remains one of our most committed and optimistic allies. It knows it needs us to succeed at least as much as we do, and it trusts our ability and determination more than most. The capture of Saddam Hussein and the agreed timetable for restoration of Iraqi sovereignty bolstered Kuwait's sense of vindication for siding with us. The GOK has close and cordial ties with the Iraqi Governing Council and Ministers, and helped them gain acceptance in the Arab League and OIC. Kuwait says it has spent about a billion dollars already in support of Iraq and has another half-billion to go.

[¶3.](#) (S) That's the good news. The downside is that the Kuwaitis feel taken for granted. Some of this is inevitable:

- We are a huge country with more global responsibilities than any other, and our top officials only have 24 hours in their day. It will never be possible to give this small country as much attention as it craves. Shaykh Sabah's successful trip to Washington in September did much to soothe feelings hurt by the President's decision not to include Kuwait in his visit to the region.

- Our way of fighting a war is massive and expensive. Kuwaitis know it gets results, so they let us do things our way, but it is exhausting and costly to them:

-- as the main launching pad for OIF, Kuwait turned over more than half its landmass to us in the run-up to the invasion, and allowed us extensive use of scarce facilities (e.g. airport, ports), to the detriment of its own economy;

-- it has borne hundreds of millions of dollars-worth of costs ostensibly in support of Operation Iraqi Freedom, much of it Assistance-In-Kind (AIK) fuel for our forces (currently running at USD1.2 million per day).

-- our requirements for security support, especially before and during major combat operations in Iraq, stretched Kuwaiti capabilities beyond sustainable limits.

-- we are beginning our largest troop rotation since Vietnam, which will last nearly half a year.

[¶4.](#) (C) Several bilateral irritants need to be addressed:

- AIK Fuel: The Chief of Staff of the Armed Forces has repeatedly indicated that he cannot afford to continue providing the current level of support, and has cut back on

participation in military exercises and training. The Minister of Finance sent the Embassy a letter seeking reimbursement of nearly USD 85 million for fuel provided to our forces since the declared end of major combat operations.

We have asked that the bill be nullified because Shaykh Sabah had assured Ambassador Jones the fuel aid would continue. Dr. Mohammed has requested that we engage in an inter-agency dialogue on our strategic cooperation in the near future. The GOK has given us two weeks from January 10 to begin an interagency discussion on where we go from here.

- Humanitarian Fuel: The GOK and a private Kuwaiti company, Altanmia, spent millions in order to be able to provide large quantities of refined fuels to Iraq through a KBR contract. The quantities actually ordered have been much smaller, and Kuwait has been accused in the newsmedia of overcharging because similar products were being delivered through Turkey at much lower prices. (The fact is -- and our U.S. contractor acknowledged this in a press release -- that there are practical reasons for the apparent discrepancies in the price fuel from Kuwait: the route is longer and so dangerous that the truck convoys require coalition security escorts; these are not always available, which leads to delays that increase costs; the download points in Iraq lack adequate equipment, which adds to the delays; Kuwait is a net importer of refined fuels and has had to buy on the spot market at times to meet demand. Reftels)

- Kuwait Airways Aircrew: The Transportation Security Administration has informed Kuwait Airways that six of its aircrew members are no longer permitted to fly to/from the US, but provided no justification. Some of the individuals named hold positions of conspicuous trust: one is the Amir's co-pilot, another once flew former President Bush back to the US; another is the brother of a State Security officer. If we have a reason for believing these individuals pose a threat, the GOK would like to know what it is.

- Border: At this writing, we have concluded negotiations for an MOU between the US military and the GOK regarding procedures at crossing points on the Iraqi border. Already, interim procedures put in place have resulted in the successful interdiction of contraband. Implementation of the full MOU will further assuage Kuwaiti fears of smuggling associated with coalition convoys. A signing ceremony at the border will occur late in January. The full deployment of the planned equipment and facilities will top USD 15 million and provide a state-of-the-art border control regime. We plan to offer this as a model for use by other states bordering Iraq.

- Contractor Entry: At the beginning of Eid al-Fitr, airport immigration officials briefly stopped allowing CPA contractors to enter the country on their DOD Common Access Card (CAC), insisting they present a passport and visa (the legal requirement and the procedure in force before the build-up to OIF). Because the GOK has not required -- or been equipped to require -- that personnel transiting to/from Iraq be stamped in/out every time, it has no way of knowing how big a problem there may be of contractors living in Kuwait without proper documentation. In close coordination with CFLCC, we are very close to finalizing a strategy for negotiating sustainable procedures with the GOK. This is another achievement that you can justifiably highlight in your meetings.

- Compensation: The GOK understands that, in the face of opposition within the UNSC, we defended the principle of Iraqi responsibility to pay compensation for the destruction and plunder of its 1990-91 occupation of Kuwait. That said, UNSCR 1483 reduced the UN Compensation Commission's take of Iraqi oil revenue from 25 percent to 5 percent. Public opinion tends not to understand our constructive role, and therefore to see the GOK as too feckless to get us to respect its interests.

- Cargo/Port: CFLCC has become aware that some cargo has sat at the airport for months, and it has addressed the issue. The US military and the Embassy are actively engaged with the GOK and the Kuwaiti private sector to secure US access to Kuwaiti ports while causing the least amount of disruption to commercial operations. A steering committee that includes the Kuwait Ports Authority, the Public Authority for Industry, Kuwaiti companies active in the port, the Embassy, and the US military, meets every two to three weeks to discuss longer-term plans for port access. The US military meets with the harbormaster and Kuwaiti companies each week to review berth schedules and to ensure that US access to pier space is not unduly harming commercial interests. However, the relative lack of port facilities in Kuwait -- combined with the current troop rotation, US plans to remain in Kuwait in the longer term, and the anticipated increase in commercial port activity associated with the booming Kuwaiti economy and Iraqi reconstruction -- signals that port access issues will become more contentious. One company has already alleged that the military has caused it to lose money by denying it pier access, although the U.S. military refutes

that allegation.

15. (C) Iraqi Debt: Presidential Envoy Baker plans to come January 20-21. The Kuwaitis will be interested in what he has to say, but on debt (and compensation), they want to be the ones to make any concession -- they do not want us or anybody else to make it for them -- and they do not want to take any action until there is a sovereign Iraqi government to negotiate with, and they want to work within the framework of the Paris Club.

16. (C) TIP: Thanks to the Secretary's mention of Trafficking-In-Persons concerns when he received the current Foreign Minister last April, the GOK showed just enough commitment to fighting abuses to stay off Tier 3 in 2003. However, at most levels the GOK still does not really believe it has a trafficking problem, because those we are most concerned about (female domestic servants) are not brought to Kuwait under false pretenses, and existing law theoretically affords them some protection. We continue to try to drive home the message that they need to take this matter seriously -- as others in the GCC are doing -- or face embarrassment. A word from you would help.

17. (C) MEPI: It would be useful for you to encourage your interlocutors to seize the opportunity of partnership with us to promote reform, and ask them where they see the greatest scope for help from us.

18. (C) ARTICLE 98: Kuwait signed on June 18 during U/S Bolton's visit. After FM Dr. Mohammed told Ambassador Jones that he saw no need for parliamentary ratification, the agreement was submitted to the National Assembly, where it remains. (NB: Kuwait has not acknowledged publicly having signed such an agreement with us, so we treat the existence of the agreement as classified.)

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